

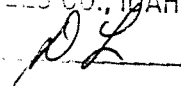
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SEP 30 1996

Department of Water Resources

1996 SEP 27 PM 4: 33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED 

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase: 36-07690A
)
)
)
)
)

PRELIMINARY SPECIAL
MASTER'S REPORT

Findings of Fact

Paul Robertson, Route 1, Box 1589, Paul, Idaho 83347, filed his *Notice of Claim to a Water Right* on March 3, 1989, claiming 2.24 cfs of groundwater for irrigation of 112 acres based on a permit. On November 2, 1992, the Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 2 (Basin 36)* recommending the claim as filed.

The United States of America, Department of the Interior, Bureau of Land Management, filed its *Objection* on April 30, 1993, objecting to points of diversion. The Director's *Response to Objection*, filed August 24, 1993, proposed to correct an error in one of the points of diversion.

On April 3, 1995, Mr. Robertson, the United States and IDWR filed a *Standard Form 5*.

Conclusions of Law

Paul Robertson is entitled to a partial decree adjudicating his water right under claim 36-07690A as described in the *Standard Form 5* and the *Preliminary Special Master's Recommendation for Partial Decree for Water Right 36-07690A*.

DATED September 27, 1996.



TERRENCE A. DOLAN

Special Master, Reporting Area 3
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

1996 SEP 27 PM 4:33
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO. IDAHO
Water Right 36-07690A FILED *DL*

NAME & ADDRESS: PAUL ROBERTSON
RT 1 BOX 1589
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 2.24 CFS
448.0 AFY

USE OF THIS RIGHT WITH THE RIGHTS 36-07690B, 36-15379, AND
LICENSE 36-07446 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
9.82 CFS.

PRIORITY DATE: 04/06/1978

POINT OF DIVERSION: T06S R21E S31 SESWSE
T07S R21E S04 LOT 3 (NENW)

Within LINCOLN County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
2.24 CFS
448.0 AFY

PLACE OF USE: IRRIGATION Within LINCOLN County
T06S R21E S31 Lot 2 (NWNW) 40.0 Lot 3 (NWNW) 16.0 Lot 4 (SWNW) 16.0 Lot 5 (SWNW) 40.0
112.0 ACRES TOTAL

CONSUMPTIVE USE: 336.0 AFY

DATED: 9-27-96

Terrence A. Dolan
TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 36-07690A

On September 27, 1996, Special Master TERRENCE A. DOLAN issued a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative Order 1 sections 11 (e) and (f).

These documents are served only on parties to the subcase. They are not served on the Presiding Judge. Parties to this subcase may file a Motion for Reconsideration or a Motion to Correct Clerical Errors with the Special Master, but must do so before October 11, 1996.

DATED September 27, 1996.

Debbie Lash
DEBBIE LASH
Deputy Clerk

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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-07690A

CERTIFICATE OF MAILING

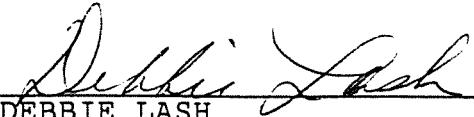
I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on September 27, 1996, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

PAUL ROBERTSON
ROUTE 1, BOX 1589
PAUL, ID 83347

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724-0663


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
09/27/96